

REMARKS

The specification is amended to correct errors of a typographical nature.

Claims 1-11 and 13-16 are amended to provide proper antecedent basis and to more clearly define the claimed invention.

It is believed that this response is fully responsive to the Office Action of March 26, 2003. The Applicants respectfully submit that no new matter has been added.

Specification:

The typographical error in the specification pointed out in the Office Action, as well as typographical errors discovered by the Applicants, are corrected by amendments to the specification. In view of the amendments, removal of this objection to the disclosure is respectfully requested.

Drawings:

The drawings are objected to for failing to comply with 37 CFR 1.84 (p)(5). Reconsideration and removal of this objection is respectfully requested.

Enclosed herewith are corrected drawings for FIGS. 3 and 30 along with a request for approval of drawing changes.

09/674,931

FIG. 30 now includes numeric indicators 110, 120, 130, 140, and 150. Regarding the mention of "210", included in amendments to the specification is an amendment to change "210" to "200". Numeric indicator "200" is shown in FIG. 17.

Corrections to FIG.3 are to correct the reference numbers of the tufts in order that FIGS. 2, 3, 4, and 5 are consistent in their numeric references.

In view of the corrections to the drawings, removal of this objection is respectfully requested.

Claim Objections:

Claims 6, 8-9 and 16 are objected to because of informalities. Reconsideration and removal of this objection is respectfully requested.

The amendments to Claims 6, 8-9, and 16 address the informalities pointed out in paragraph 3 of the Office Action. In view of the amendments to claims 6, 8-9, and 16, removal of this objection is respectfully requested.

Claim Rejections under 35 USC §112:

Claims 1-16 are rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the

09/674,931

invention. Reconsideration and removal of this rejection is respectfully requested.

Amended Claims 1-11 and 13-16 now provide proper antecedent basis, and more clearly define the claimed invention. In view of the amendments, removal of this rejection is respectfully requested.

The present invention is a toothbrush having tufting holes formed in a tufting part which are almost elliptic or almost rectangular. The tufting holes are inclined, in directions perpendicular to lengthwise directions of the handle length, toward a tufting surface so that tufts implanted in the tufting holes support one another.

Claim Rejection under 35 USC §102:

Claims 1-2, 6 and 8 are rejected under 35 USC §102(b) as being anticipated by JP 62-106523. Reconsideration and removal of this rejection is respectfully requested.

It is alleged in the Office Action that JP '523 discloses elliptical holes (1, in Fig. 2b), and a plurality of bristle tufts (1, in Fig. 1a, 2a, and 3a) that face and support one another.

It is respectfully submitted that the teachings of JP '523 are being mischaracterized. In JP '523 (1) refers to tufts of the toothbrush and (7) refers to the tufting holes of the toothbrush.

09/674,931

Such numeric reference is found in the text of the specification, and can be seen in FIGS. 1(a) and 2(a). The elliptical figures shown in FIG. 2(b) depict tufts and not tufting holes.

~~Additionally, JP '523 shows tufting holes inclined in~~  
lengthwise directions of the handle length, wherein presently amended Claim 1 defines the tufting holes as being inclined in directions perpendicular to lengthwise directions of the handle length.

In view of the amendment to Claim 1 and the above remarks, removal of this rejection is respectfully requested.

Claims 1-2, 6 and 8 are rejected under 35 USC §102(e) as being anticipated by Fischer (U.S. Patent No. 6,237,183). Reconsideration and removal of this rejection is respectfully requested.

It is alleged in the Office Action that Fischer describes elliptical tufting holes (6 in FIG. 3) that are inclined toward the tufting surface (3) and that tufts support one another (6 in FIG. 1).

It is respectfully submitted that the teachings of Fischer are being mischaracterized. In Fischer, (6) denotes the bristles or tufts, not the tufting holes of the toothbrush, and the tufting holes appear to be circular in shape, as opposed to being elliptical. Additionally, Fischer shows solely tufts inclined to

09/674,931

the tufting surface, with an inclination being in the lengthwise directions of the handle length, not perpendicular to the lengthwise directions of the handle length, as now defined in amended Claim 1.

In view of the amendment to Claim 1 and the above remarks, removal of the present rejection is respectfully requested.

Claims 1-4, 6, 8 and 13 are rejected under 35 USC §102(b) as being anticipated by Nicolas (U.S. Patent No. 4,706,322). Reconsideration and removal of this rejection is respectfully requested.

It is alleged in the Office Action that Nicolas describes almost elliptical holes (32) that are inclined 10 degrees with respect to the vertical toward the inside of the tufting surface (39), and that the tufts face and support one another (33, 37).

It is respectfully submitted that the teachings of Nicholas are being mischaracterized. In the disclosure of Nicolas, numeric reference 32 refers to the tufts, as is clearly shown in FIGS. 2, 3, and 4, and do not refer to the tufting holes. Also, the tufting holes appear to be circular in shape as opposed to being elliptical as alleged in the rejection. Additionally, the tufts which are inclined to the tufting surface do not support one another, as defined in present Claim 1, as two tufts inclined toward each other in a same row, so as to touch and thereby support

09/674,931

each other, are not disclosed. Tufts (33) and (37) do not touch or support each other as alleged in the Office Action.

In view of the amendment to Claim 1 and the above remarks, removal of this rejection is respectfully requested.

Claims 1-2, 5, 14-15 are rejected under 35 USC §102(b) as being anticipated by Curtis et al. (U.S. Patent No. 5,446,940). Reconsideration and removal of this rejection is respectfully requested.

It is alleged in the Office Action that Curtis et al. discloses almost elliptical tufting holes that are inclined toward the tufting surface (FIG. 8), and rectangular tufting holes (248). It is respectfully submitted that all of the tufting holes which are inclined are inclined outwardly from other tufting holes. Curtis et al. does not describe tufting holes which are inclined, in directions perpendicular to a lengthwise direction of a handle length, toward a tufting surface, so as to have tufts implanted therein support one another, as defined in amended Claim 1.

In view of the amendment to Claim 1 and the above remarks, removal of this rejection is respectfully requested.

Claim Rejection under 35 USC §103:

Claim 7 is rejected under 35 §103(a) as being unpatentable over JP 62-106523 in view of Oishi et al. (U.S. Patent No.

09/674,931

5,799,353). Reconsideration and removal of this rejection is respectfully requested.

It is alleged in the Office Action that JP '523 teaches all the essential elements of the claimed invention except that the bristle ends are worked into a V-shape, and that Oishi et al. teaches a toothbrush with tufts that are shaped in a V-formation.

It is respectfully submitted that JP '523 does not disclose all of the essential elements of amended Claim 1, from which amended Claim 7 depends, as was discussed above in the rejection of Claims 1-2, 6 and 8 under 35 USC §102(b), and that Oishi et al. does not provide the disclosure found to be deficient. In view of the amendment to Claim 1 and the above remarks, removal of the present rejection is respectfully requested.

Claims 9 and 12 are rejected under 35 USC §103(a) as being unpatentable over Fischer (U.S. Patent No. 6,237,183) in view of Solanki et al. (U.S. Patent No. 6,314,605). Reconsideration and removal of this rejection is respectfully requested.

It is alleged in the Office Action that Fischer teaches all the essential elements of the claimed invention, however, he fails to teach rows of converging blocks that are offset from each other and he fails to teach bristles that are not lined up in one straight line, and that Solanki et al. teaches a toothbrush with tufts offset from each other as shown in FIG. 4.

09/674,931

It is respectfully submitted that Fischer does not disclose all of the essential elements of amended Claim 1, from which Claims 9 and 12 depend, as was discussed above in the rejection of Claims 1-2, 6 and 8 under 35 USC §102(e), and that Solanki et al. does not provide the disclosure found to be deficient.

In view of the amendment to Claim 1 and the above remarks, removal of the present rejection is respectfully requested.

Claims 10 and 11 are rejected under 35 USC §103(a) as being unpatentable over Curtis et al. (U.S. Patent No. 5,446,940) in view of Chen et al. (U.S. Patent No. 5,590,438). Reconsideration and removal of this rejection is respectfully requested.

The Office Action alleges that Curtis et al. discloses all the essential elements of the claimed invention including groups of tufts that are anchored into round cavities, however, the reference is silent about the type of anchoring means used, and that Chen et al. teaches a method of anchoring bristles to a toothbrush by folding the bristle tuft in half, placing in a tuft cavity and driving an anchor into the tuft cavity to hold the bristle into the tuft cavity.

It is respectfully submitted that Curtis et al. does not disclose all of the essential elements of amended Claim 1, from which Claims 10 and 11 depend, as was discussed above in the rejection of Claims 1-2,5, and 14-15 under 35 USC §102(b), and that



09/674,931

Chen et al. does not provide the disclosure found to be deficient. Additionally, it is respectfully submitted that Chen et al. does not show an anchor positioned  $\pm 10^\circ$  with respect to a center line along a lengthwise direction of a tufting hole, as defined in present Claim 11.

In view of the amendment of Claim 1 and the above remarks, removal of the this rejection is respectfully requested.

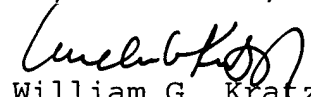
It is respectfully submitted that Claims 1-16 are now in condition for allowance. Allowance of Claims 1-16 is respectfully requested.

If there are any issues of a minor nature remaining, the Examiner is urged to contact Applicants' attorney, the undersigned, at Area Code (202) 659-2930.

In the event that any fees are due in connection with this paper, please charge our Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN, HATTORI, LLP

  
William G. Kratz, Jr.  
Reg. No. 22,631

Atty. Docket No. 001348  
Suite 1000  
1725 K Street, N.W.  
Washington, D.C. 20006  
Tel: (202) 659-2930  
Fax: (202) 887-0357